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2019 JUL 30 PM 12:10

CLERK US DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY DEPUTY *[Signature]*

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

J.E.B., INDIVIDUALLY AND AS NEXT
FRIEND TO F.C.B.,
PLAINTIFF,

V.

CLAY DEAN HILL, OWNER OF
SHILOH TREATMENT CENTER,
D/B/A SHILOH TREATMENT
CENTER; SHILOH TREATMENT
CENTER, INC., JUAN J. SANCHEZ,
FORMER CEO AND CONTROLLING
INDIVIDUAL IN THE SWK ENTITIES;
SOUTHWEST KEY PROGRAMS, INC.,
D/B/A SOUTHWEST KEY,
DEFENDANTS.

CAUSE NO. 1:19-CV-444-LY

ORDER

Before the court in the above-styled and numbered cause are Defendant Juan J. Sanchez and Southwest Key Programs, Inc.'s Motion for Judgement on the Pleadings filed July 12, 2019 (Dkt. No. 12) and Plaintiff's Response to Defendants' Motion for Judgment on the Pleadings filed July 24, 2019 (Dkt. No. 14). This case was filed on April 23, 2019. Contained within Plaintiff's response is a request for leave to amend the complaint, which Defendants oppose.

"[L]eave to amend should be freely given when justice so requires." Fed. R. Civ. P. 15(a). This case remains in its infancy. The parties have yet to submit a proposed scheduling order and the court has yet to render a scheduling order setting a deadline for amending pleadings. Having considered the case file and the applicable law, the court concludes that as the case is in the early stages, and so as to allow inclusion of facts and claims, the court will **GRANT** Plaintiff's request for leave to amend his complaint. Plaintiff may file an amended complaint **on or before August 26, 2019**.

In light of allowing Plaintiff to file an amended complaint and to maintain order with the pleadings and motions, the court will dismiss the Defendants' motion for judgment on the pleadings without prejudice. Accordingly,

IT IS ORDERED that Defendant Juan J. Sanchez and Southwest Key Programs, Inc.'s Motion for Judgement on the Pleadings filed July 12, 2019 (Dkt. No. 12) is **DISMISSED** without prejudice to refiling.

IT IS FINALLY ORDERED that the parties are to submit to the court a Proposed Agreed Scheduling Order, in accordance with Federal Rule of Civil Procedure 26(f), that follows the form scheduling order of this court located on the website for the United States District Court for the Western District of Texas (www.txwd.uscourts.gov), the "Forms" tab, "Civil," "Austin Division," "Proposed Scheduling Order for Judge Yeakel," **on or before August 29, 2019**.

SIGNED this 30th day of July, 2019.



LEE YEAKEL
UNITED STATES DISTRICT JUDGE